IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3517 OF 2005
IN
CRIMINAL APPEAL NO. 519 OF 2005

Sarfraz Ahmed Adam Patel & Anr. ...Applicants

Versus

The State of Maharashtra ...Respondent

.....

Mr. V.V. Gangurde, Advocate for Applicant

Ms. S.V. Gajare, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 20TH JUNE, 2005

P. C.:-

1. Heard both sides.

2. Each of the applicants have been convicted under Section 307 r.w. 34 of I.P.C. and sentenced to imprisonment for four years and fine amount of Rs.5000/- i/d R.I. for two months.

3. The learned advocate for the applicants has submitted that the applicants were on bail pending the trial and they have not misused the liberty granted to them. This statement has not been controverted by the prosecution. The learned advocate for the applicants has further submitted

that the sentence is only of four years and the appeal is not likely to be heard soon, hence, bail may be granted to the applicants. Looking to the facts and circumstances of this case, I am inclined to grant them bail.

4. On the fine amount being paid, the applicants (1) Sarafraj Ahmed Adam Patel and (2) Mohd. Aslam Adam Patel, be released on bail in the sum of Rs.25,000/- (Twenty five thousand only) each, with one or two sureties to make the said amount. The applicants shall report to the Shivaji Nagar Police Station, Govandi, Mumbai, once in a month during the pendency of appeal.

5. Criminal application is disposed of.

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